IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.8560 of 2008
BAIDYANATH PRASAD OJHA @ BAIJNATH OJHA
Versus
STATE OF BIHAR
---

3 15.05.2008 Heard learned counsel for the petitioner as also the learned A.P.P. for the State.

The petitioner who claims to be a lawyer of the Civil Court, Chapra, is apprehensive of his arrest in connection with Complaint Case No. 1407 of 2006, under sections 420 and 120B I.P.C. .

The allegation against the petitioner is of his having introduced the complainant to the accused persons who subsequently cheated the complainant of Rs. 1,83,000/- in the name of preparing VISA for him and that they thereafter supplied him with a forged and fabricated VISA.

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The cognizance in the case was taken on 30.8.2006 and the petition for anticipatory bail before the Sessions Court was filed only in 2008 and after rejection thereof he has approached this Court.

Since the prayer for anticipatory bail was made after one and half years after taking of cognizance it only discloses that the petitioner never had any apprehension of his arrest.

In that view of the matter the petitioner is directed to surrender in the Court below and in the event of such surrender the learned Court below will take into consideration the facts that he

was only instrumental in introducing the complainant to the accused persons and had no other criminal role to play and upon such consideration the prayer for bail should be disposed of in accordance with law.

With the aforesaid observation this application is disposed of.

Sanjay/- **(Abhijit Sinha, J.)**

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